



Criminal Appeal Act 1968

1968 CHAPTER 19

PART III

MISCELLANEOUS AND GENERAL

50 Meaning of “sentence”.

[^{F1}(1) In this Act “sentence”, in relation to an offence, includes any order made by a court when dealing with an offender including, in particular—

- (a) a hospital order under Part III of the ^{M1}Mental Health Act 1983, with or without a restriction order;
- (b) an interim hospital order under that Part;
[a hospital direction and a limitation direction under that Part;]
- ^{F2}(bb)
- (c) a recommendation for deportation;
[a confiscation order under Part 2 of the Proceeds of Crime Act 2002;
- ^{F3}(ca)
- (cb) an order which varies a confiscation order made under Part 2 of the Proceeds of Crime Act 2002 if the varying order is made under section 21, 22 or 29 of that Act (but not otherwise);]
- (d) a confiscation order under the [^{F4}Drug Trafficking Act 1994] other than one made by the High Court;
- (e) a confiscation order under Part VI of the ^{M2}Criminal Justice Act 1988;
- (f) an order varying a confiscation order of a kind which is included by virtue of paragraph (d) or (e) above;
- (g) an order made by the Crown Court varying a confiscation order which was made by the High Court by virtue of [^{F5}section 19 of the Act of 1994]; and
- (h) a [^{F6}declaration of relevance, within the meaning of section 23 of] the ^{M3}Football Spectators Act 1989[^{F7}; and
- (i) an order under section 129(2) of the Licensing Act 2003 (forfeiture or suspension of personal licence).]]

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.

Changes to legislation: Criminal Appeal Act 1968, Section 50 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F8}(1A) [^{F9}Section 14 of the Powers of Criminal Courts (Sentencing) Act] (under which a conviction of an offence for which ^{F10}... an order for a conditional or absolute discharge is made is deemed not to be a conviction except for certain purposes) shall not prevent an appeal under this Act, whether against conviction or otherwise.]

(2) Any power of the criminal division of the Court of Appeal to pass a sentence includes a power to make a recommendation for deportation in cases where the court from which the appeal lies had power to make such a recommendation.

[^{F11}(3) An order [^{F12}relating to a requirement to make a payment under regulations under section 23 or 24 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012] is not a sentence for the purposes of this Act.]

Textual Amendments

- F1** S. 50(1) substituted (14.8.1995) by 1993 c. 36, s. 78(3), **Sch. 5 Pt. 1 para. 1**; S.I. 1995/1958, **art. 2**
- F2** S. 50(1)(bb) inserted (1.10.1997) by 1997 c. 43, s. 55(1), **Sch. 4 para. 6(1)(a)**; S.I. 1997/2200, **art. 2(1)(1)(2)(c)**
- F3** S. 50(1)(ca)(cb) inserted (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), s. 458(1), **Sch. 11 para. 4(3)**; S.I. 2003/333, **art. 2, Sch.**
- F4** Words in s. 50(1)(d) substituted (3.2.1995) by 1994 c. 37, ss. 65(1), 69(2), **Sch. 1 para. 2**
- F5** Words in s. 50(1)(g) substituted (3.2.1995) by 1994 c. 37, ss. 65(1), 69(2), **Sch. 1 para. 2(b)**
- F6** Words in s. 50(1)(h) substituted (6.4.2007) by Violent Crime Reduction Act 2006 (c. 38), s. 66(2), **Sch. 3 para. 14(2)(a)** (with **Sch. 3 para. 14(3)**); S.I. 2007/858, **art. 2(k)**
- F7** S. 50(1)(i) and preceding word inserted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 42** (with **ss. 2(3), 15(2), 195**); S.I. 2005/3056, **art. 2(2)**
- F8** S. 50(1A) inserted by Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 66(1)**
- F9** Words in s. 50(1A) substituted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 9 para. 30**
- F10** Words in s. 50(1A) repealed (1.10.1992) by Criminal Justice Act 1991 (c. 53, SIF 39:1), ss. 100, 101(2), **Sch. 11 para. 4, Sch. 13**; S.I. 1992/333, **art. 2(2), Sch. 2**
- F11** S. 50(3) inserted (2.4.2001) by 1999 c. 22, s. 24, **Sch. 4 para. 3** (with s. 107, **Sch. 14 para. 7(2)**); S.I. 2001/916, **art. 3(a)(ii)**
- F12** Words in s. 50(3) substituted (1.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 5 para. 3**; S.I. 2013/453, **art. 3(h)** (with savings and transitional provisions in S.I. 2013/534, **art. 6**)

Modifications etc. (not altering text)

- C1** S. 50(1) modified (1.10.1997 for specified purposes otherwise 1.12.1999) by 1997 c. 43, ss. 55(2), 57(2), **Sch. 4 para. 6(1)**; S.I. 1997/2200, **art. 2(1)(m)** and S.I. 1999/3096, **art. 2(d)**

Marginal Citations

- M1** 1983 c. 20.
M2 1988 c. 33.
M3 1989 c. 37.

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